

House File 2607 - Introduced

HOUSE FILE 2607

BY HALL

A BILL FOR

1 An Act classifying mourning doves as migratory game birds, and
2 making penalties applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.8, subsection 1, paragraph b, Code
2 2020, is amended to read as follows:

3 b. Violations by a child of provisions of chapter 321, 321G,
4 321I, 453A, 461A, 461B, 462A, 481A, 481B, 483A, ~~484A~~, or 484B,
5 which would be simple misdemeanors if committed by an adult,
6 and violations by a child of county or municipal curfew or
7 traffic ordinances, are excluded from the jurisdiction of the
8 juvenile court and shall be prosecuted as simple misdemeanors
9 as provided by law. A child convicted of a violation excluded
10 from the jurisdiction of the juvenile court under this
11 paragraph shall be sentenced pursuant to section 805.8, where
12 applicable, and pursuant to section 903.1, subsection 3, for
13 all other violations.

14 Sec. 2. Section 484A.1, subsection 2, Code 2020, is amended
15 to read as follows:

16 2. "*Migratory game bird*" means any wild goose, brant, wild
17 duck, snipe, rail, woodcock, mourning dove, or coot.

18 Sec. 3. Section 805.16, subsection 1, Code 2020, is amended
19 to read as follows:

20 1. Except as provided in subsection 2 of this section, a
21 peace officer shall issue a police citation or uniform citation
22 and complaint, in lieu of making a warrantless arrest, to a
23 person under eighteen years of age accused of committing a
24 simple misdemeanor under chapter 321, 321G, 321I, 461A, 461B,
25 462A, 481A, 481B, 483A, ~~484A~~, 484B, or a local ordinance not
26 subject to the jurisdiction of the juvenile court, and shall
27 not detain or confine the person in a facility regulated under
28 chapter 356 or 356A.

29 Sec. 4. Section 903.1, subsection 3, Code 2020, is amended
30 to read as follows:

31 3. A person under eighteen years of age convicted of a
32 simple misdemeanor under chapter 321, 321G, 321I, 453A, 461A,
33 461B, 462A, 481A, 481B, 483A, ~~484A~~, or 484B, or a violation of
34 a county or municipal curfew or traffic ordinance, except for
35 an offense subject to section 805.8, may be required to pay a

1 fine, not to exceed one hundred dollars, as fixed by the court,
2 or may be required to perform community service as ordered by
3 the court.

4 Sec. 5. REPEAL. Section 484A.6, Code 2020, is repealed.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill amends the definition of "migratory game bird" to
9 include a mourning dove, thus requiring a person to pay the
10 migratory game bird fee before hunting mourning doves.

11 Under current law, a person who violates a provision of Code
12 chapter 484A is subject to a simple misdemeanor. A person who
13 hunts or takes a migratory game bird without first paying the
14 migratory game bird fee is also subject to a scheduled fine of
15 \$10. The bill repeals the provision of Code chapter 484A that
16 makes a person who violates a provision of the Code chapter
17 subject to a simple misdemeanor and makes conforming changes
18 to reflect the repeal.